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**Kawerak Transportation Program**

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Local Consultation Process  
Division of Program Development  
DOT&PF  
3132 Channel Drive  
Juneau, Alaska 99801

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Ref: Comments to the Proposed Consultation with Local Officials in Non-Metropolitan Areas Process

Dear Jeff:

Kawerak, Inc. is the non-profit consortium of tribal governments in the Bering Straits Region of Alaska. We are the first and only tribal consortium in the country to have assumed the contractible functions of the Bureau of Indian Affairs' (BIA) Indian Reservation Roads (IRR) program. Our activities include establishing transportation priorities for our member tribes, project planning, design, and construction. We are also involved with road maintenance also through assumption of the BIA Road Maintenance program, for those tribes in our region that generate road maintenance funds. We assess local and regional needs and make transportation decisions on behalf of our member tribes. Our Board is made up of the presidents of our member tribes.

We recognize that one of the best ways to make our limited funds stretch is by leveraging our funds with those of the DOT&PF specifically where we have identified common projects. Because of this, it is vital that we be involved in the State's Consultation with Local Officials in Non-Metropolitan Areas process. We recommend that the State include Regional Non-Profits in their list of local government entities. We also recommend that the local government contact list include tribes, and the Village and Regional Native Corporations. Local entities need to be encouraged to work together with the tribes to identify their local and regional priorities.

Our recommendation to include tribes does not address the requirement imposed by the Federal Government that the State must consider the concerns of the of Indian tribal governments. 25 USC 135 (f)(1)(B)(iii) indicates that the STIP must be developed in consultation with the tribal government and the Secretary of the Interior. We believe this means that government to government consultation must take place. To date, the Federal Highway Administration (FHWA) has not codified this particular section of the title.

On April 20-21 the Alaska Tribal Technical Assistance Program (TTAP) is holding its second statewide Transportation Symposium at the Hilton in Anchorage. As co-chair of the Alaska Tribal Transportation Workgroup and member of the AK TTAP Advisory Board, I invite you to not only attend the Symposium but to be part of a panel discussion on how to develop a government to government consultation process to meet the requirements of Title 23. We have also invited representatives from FHWA to participate.

Thank you for the opportunity to provide comments. Should you have any questions please feel free to contact me.

Sincerely,

{s/ Julianne E. Baltar}

Julianne E. Baltar